

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS**

CHARLES BOCOCK,)	
)	
Plaintiff,)	
)	Case No.: 19-cv-03877
v.)	
)	Hon. Jorge L Alonso
THOMAS J. DART, et al.,)	
)	
Defendants.)	

ATTORNEY’S MOTION TO WITHDRAW BASED ON ACTIVE CONFLICT

I, Danny Worker, am appointed by the Court to represent Plaintiff in this matter pursuant to the Court’s March 23, 2022 Order. I respectfully request that the Court permit my withdrawal from representing the Plaintiff and for appointment of another attorney to represent the Plaintiff for the following reasons:

1. I am the managing partner of the Chicago office of Lewis Brisbois Bisgaard & Smith LLP.

2. I have been assigned as pro bono counsel to represent the Plaintiff Charles Bocock in the matter captioned above per the Court’s March 23, 2022 Order. [Doc. 93]

3. I respectfully request that the Court permit my withdrawal from representing the Plaintiff, Mr. Charles Bocock as I have a conflict of interest and am currently representing another *pro bono* client assigned to me by Judge Gilbert in the Southern District of Illinois, as further discussed below:

4. First, I have a conflict in representing Tom Dart and Cook County Sheriff. I am currently representing an excess insurer subject to a common interest agreement with regard to active monitoring of an underlying putative class action lawsuit filed in the Northern District of Illinois – Eastern Division captioned *Louis Monae v. Cook County Sheriff’s Office; Thomas J. Dart,*

Cook County, et al., No. 18-cv-0024. The class action is based on alleged race discrimination of African Americans in employment for the Cook County Department of Corrections. My representation includes participation in ongoing reporting and strategy meetings with defense counsel for Thomas J. Dart, Cook County, Cook County Sheriff's office, and Cook County Merit Board pursuant to a common interest agreement. I have an ethical obligation not to represent these clients.

5. Second, I am currently representing a pro bono client in an active matter pending in the Southern District of Illinois. On March 30, 2022, I was assigned by Judge J. Phil Gilbert, the Southern District of Illinois, to represent Hubert Hill, formerly *pro bono*, in the lawsuit captioned *Hill v. Hughes Lockhard, M.D.*, Case No. 19-cv-00405-JPG [Doc. 61]. I filed my appearance on April 11, 2022. The case is currently postured for discovery, which will likely involve a number of depositions, including expert discovery, and trial preparation.

6. Under Local Rule 83.38(a)((1) of the Northern District of Illinois, assigned counsel may move for relief from an order of assignment pursuant to a conflict of interest. Illinois Rule of Professional Conduct 1.16 governs declining or terminating representation of a client. The rule provides for mandatory withdrawal from representation in subsection (a):

(a) Except as stated in paragraph (c), a lawyer shall not represent a client or, where representation has commenced, shall withdraw from the representation of a client if:

(1) the representation will result in violation of the Rules of Professional Conduct or other law;

. . .

7. Under subsection (a)(1) of the rule requires that an attorney decline representation of a client when representation of a client will result in a violation of the Rules of Professional Conduct or other law.

8. I have obtained a significant amount of confidential information related Cook County and Sheriff Dart under the common interest agreement and have an ethical obligation not to represent Plaintiff.¹

9. My current representation of Plaintiff Hubert Hill in the Southern District of Illinois – in addition to my own client base - requires significant time and resources. Representation of a second pro bono client, Charles Bocock, will jeopardize my ability to represent all clients effectively should I be appointed.

Respectfully submitted,

LEWIS BRISBOIS BISGAARD & SMITH LLP

By: /s/ Danny L. Worker
One of the attorneys for the Plaintiff

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¹ Under Local Rule 83.1 (i) of the Southern District of Illinois:

. . . Assignments shall be made in such a manner that no member of the bar of this Court shall be required to accept more than one assignment during any twelve-month period. Local Rules 83.8-83.145 set forth the District's Pro Bono Program and applicable procedures.

CERTIFICATE OF SERVICE

I hereby certify that on April 18, 2022, I electronically filed the foregoing with the U.S. District Court for the Southern District of Illinois, using the ECF system which will send a notification and a copy of such filing to all parties of record.

/s/Danny L. Worker